

\*E-Filed 12/22/10\*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

GARY WAITERS,

No. C 10-5380 RS (PR)

Plaintiff,

**ORDER OF TRANSFER**

v.

SERGEANT MITCHELL,


Defendant.

This is a civil rights action filed by a *pro se* state prisoner pursuant to 42 U.S.C. § 1983. A substantial part of the events or omissions giving rise to the claims occurred at Kershaw Correctional Institution in South Carolina, which lies within the venue of the District of South Carolina. *See* 28 U.S.C. § 84(b). Venue therefore properly lies in the District of South Carolina. *See id.* § 1391(b).

Accordingly, in the interest of justice, and pursuant to 28 U.S.C. § 1406(a), this action is hereby TRANSFERRED to the United States District Court for the District of South Carolina. The Clerk shall transfer this action forthwith.

**IT IS SO ORDERED.**

DATED: December 22, 2010

  
RICHARD SEEBORG  
United States District Judge

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ORDER TRANSFERRING ACTION